

But evidence accumulated since the 1990 Amendments were enacted indicates that ridesharing programs are not a cost-effective option in the short-term to control air pollution. The effort necessary to convince commuters to get out of their cars and into carpools or buses or trains is quite expensive compared to other steps that would achieve the same emissions reductions in the short-term. It may be that over a very long period, a requirement like this would convince major employers to make locational decisions that encourage the use of transit and other ridesharing options. But in the short-run, the emissions reductions achieved do not justify the great difficulties that would be experienced by the States and by employers to carry out the trip reduction program.

This requirement of the 1990 Clean Air Act Amendments has engendered much opposition in the legislatures of the several States that are subject to. EPA made it clear earlier this year that the Agency would not aggressively enforce the requirements. And even in Los Angeles, the program that served as a model for the 1990 federal program has been discontinued. All seem to agree that this is a measure that should not be mandated.

H.R. 325 does not entirely repeal the employer trip reduction program. It makes it voluntary with the States. It will remain as potential avenue for emissions reductions for the States that choose to use it. And the bill does not rollback the Clean Air Act in any sense. All States will continue to bear an obligation to achieve healthy air quality by the same deadlines that are currently in the law. The bill makes clear that States that choose not to carry out the trip reduction program must find equivalent emissions reductions from other sources.

Madam President, we have a responsibility to act quickly to fix Federal programs, such as this one, that have proved unworkable. So, I have urged that the Senate act on this bill immediately and send it to the President without further delay. I would note that the National Highway System bill that the President recently signed corrected problems with EPA regulations for the vehicle inspection and maintenance program under the Clean Air Act. Where legitimate problems with implementation of the Clean Air Act have been discovered, we are moving to correct them.

Mr. BROWN. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 325) was ordered to a third reading, was read the third time, and passed.

ROOSEVELT HISTORY MONTH

Mr. BROWN. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of Senate Resolution 75, a resolution proclaiming October 1996 as "Roosevelt History Month," and that the Senate proceed to its immediate consideration, that the resolution and preamble be agreed to en bloc, and that the motion to reconsider be laid on the table, that any statements relating thereto appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 75) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 75

Whereas January 30, 1995, is the 113th anniversary of the birth of President Franklin Delano Roosevelt in Hyde Park, New York;

Whereas almost a half-century after the death of President Roosevelt, his legacy remains central to the public life of the Nation;

Whereas before becoming President of the United States, Franklin Delano Roosevelt served in the New York State Senate and later was appointed Assistant Secretary of the Navy, and in 1928 became Governor of New York;

Whereas as President of the United States between 1933 and 1945, Franklin Delano Roosevelt guided the Nation through two of the greatest crises of the twentieth century, the Great Depression and the Second World War, and in so doing, changed the course of American politics;

Whereas a memorial in stone in the District of Columbia will soon be dedicated to his memory, as authorized by Congress in 1955; and

Whereas a month commemorating the history of Franklin Delano Roosevelt would complement the dedication of the memorial: Now, therefore, be it

Resolved, That October, 1996, should be designated "Roosevelt History Month". The President is requested to issue a proclamation calling on the people of the United States to observe the month with appropriate ceremonies and activities.

TITLE 18 UNIFORMITY ACT

Mr. BROWN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 242, S. 1331.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1331) to adjust and make uniform the dollar amounts used in title 18 to distinguish between grades of offenses, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Title 18 Uniformity Act of 1995".

SEC. 2. ADJUSTING AND MAKING UNIFORM THE DOLLAR AMOUNTS USED IN TITLE 18 TO DISTINGUISH BETWEEN GRADES OF OFFENSES.

(a) Sections 215, 288, 641, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 661, 662, 665, 872, 1003, 1025, 1163, 1361, 1707, 1711, and 2113 of title 18, United States Code, are amended by striking "\$100" each place it appears and inserting "\$1,000".

(b) Section 510 of title 18, United States Code, is amended by striking "\$500" and inserting "\$1,000".

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply to sentences imposed on or after the date of enactment of this Act.

Mr. BROWN. I ask unanimous consent the committee amendment be agreed to, the bill be considered read a third time and passed as amended, the motion to reconsider be laid upon the table, that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE NEXT PANCHEN LAMA

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 266, S. J. Res. 43.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S. J. Res. 43) expressing the sense of the Congress regarding Wei Jingsheng; Gudhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China.

The PRESIDING OFFICER. Is there objection, to the immediate consideration of the joint resolution?

There being no objection the Senate proceeded to consider the bill.

Mr. HELMS. Madam President, citizens all over the world are protesting—and after all major Western countries have complained to the Chinese Government—about the mistreatment of a courageous Chinese citizen named Wei Jingsheng because Wei has spent most of his life trying to bring democracy and decent human rights to his 1.2 billion fellow Chinese citizens.

In return, the Chinese Government has sentenced him to another 14 years in a jail after a trial that lasted 6 hours and to which no officials representing the United States Government were allowed to attend.

The Wei Jingsheng trial follows on the heels of last week's Communist Chinese Government's announcement that for the first time in Tibetan history, Red China has selected a successor to the Panchen Lama, the second

highest-ranking official in Tibetan Buddhism, His Holiness the Dalai Lama being the No. 1, of course.

Madam President, these significant events deserve the attention of all Americans and other citizens around the world. Senate Joint Resolution 43 is a sense-of-the-Congress resolution objecting to the treatment of Wei Jingsheng, who, by the way, is known as the father of democracy in China. Senate Joint Resolution 43 expresses regret concerning the Chinese Government's decision to name its own Panchen Lama of Tibet for the first time in Tibetan history. The resolution calls upon the United States Government to sponsor, and aggressively push for, passage of a resolution at next spring's meeting of the U.N. Human Rights Commission condemning Red China's human rights record.

In drafting this resolution, I decided that it is important to highlight both the plight of Wei Jingsheng and the Chinese Government's invasion into the religious freedoms of the Tibetan people. Both issues—religious freedom and political freedom—are human rights issues and should therefore be linked.

This is not the first linkage of these two issues. In fact, when President Clinton and Jiang Zemin met in New York, it was emphasized to the Chinese leader that it is imperative for China to make progress on these two human rights issues. In fact, at that meeting, the Chinese were requested to give special attention to the fate of Wei Jingsheng, and of other political prisoners.

Did the Chinese believe that charging Wei Jingsheng with attempting to overthrow the government and sentencing him to 14 years in jail was what was when the United States specified special attention? Of course not; the Chinese actions are mere examples of the in-your-face attitude of the Beijing government.

Madam President, Senate passage of this resolution is vital. If the Senate fails to make a clear definitive statement protesting these actions, the Chinese will decide that the American people don't care.

That, of course, is simply not the case. If the U.S. Congress does not act now on Wei Jingsheng's behalf, we will be forfeiting the opportunity to make a difference.

I further understand the Clinton administration is to decide in the near future, whether the United States should support a China human rights resolution at the next meeting of the U.N. Human Rights Commission in Geneva. We have supported a China/human rights resolution for the past 3 years.

This year should not be different. I encourage the President to think long and hard about that decision. President Clinton has said over and over that the best way to pressure the Chinese on human rights issues is to pursue them in international arenas. The U.N. Human Rights Commission is an opportunity that should not be missed.

Some Senators maintain that quiet diplomacy will work better than a congressional resolution. I differ. Since July, the United States Congress, and effectively the United States Government, have engaged in quiet diplomacy and has shied away from strong statements about events in China. Look where those efforts have gotten us on issues about which we care deeply.

That brave young man fighting for democracy in Communist China and that poor 6-year-old boy and his parents who have disappeared because he was chosen as the next Panchen Lama of Tibet need our help.

I encourage Senators to support this resolution and say a prayer for all Chinese citizens who one day could be mistreated just as these young men have been.

Mr. THOMAS. Madam President, on Monday the distinguished chairman of the Foreign Relations Committee introduced Senate Joint Resolution 43 relative to two recent moves by the central government in the People's Republic of China which are of great concern to me as the chairman of the Subcommittee on East Asian and Pacific Affairs: the formal charging and trial yesterday of Chinese human rights activist Wei Jingsheng, and the selection by the central authorities in Beijing of a new Panchen Lama. I am an original cosponsor of that legislation, and rise today to express my full support for it.

Wei Jingsheng is known as the father of the PRC's modern democracy movement, and has spent a good deal of his adult life in prison as a result of his beliefs. Wei was first arrested in the spring of 1979 for allegedly "providing foreigners with confidential military information and engaging in activities which pose a threat to state security and designed to overthrow state power;" the fact that the "secrets" had been previously published in a widely-circulated government journal was apparently seen as immaterial. His true offense was participating in the "Democracy Wall Movement" by penning a work entitled "Diwu Xiandaihua—The Fifth Modernization." That piece argued that the Communist Party's "Four Modernizations" program—to modernize industry, agriculture, science/technology, and the armed forces—would be incomplete without a "fifth modernization:" democracy. In addition, he had circulated an article warning that Deng Xiaoping was developing Mao-like dictatorial tendencies. For this, he was sentenced to a loss of political rights for 3 years and 15 years in prison of which he served 14½ years.

As part of its bid to host the 2000 Olympics, the PRC released a number of political prisoners in a quid pro quo attempt to influence the choice of the selection committee. As a result, Wei was paroled in September 1993 but was kept under constant surveillance since that time. Upon his release he resumed his prodemocracy activities, writing articles and speaking with foreign journalists and government officials in support of democracy in China.

On April 1, 1994, just a few weeks after he had met with Assistant Secretary of State John Shattuck to discuss human rights in the PRC, Wei vanished. While it was known at the time that he had been arrested, no warrant had been issued for his arrest; no formal charges were instituted against him; members of his family were never notified of his arrest or subsequent whereabouts, and the authorities would not even confirm he was being held. Inquires as to his status from organizations and leaders outside of China were rebuffed.

On November 21, of this year, 20 months after first being arrested and held without charge, the Xinhua News Agency announced that Wei was being formally charged with "activities to overthrow the government." Although the exact nature of his "crimes" was left nebulous, the charge carries the death penalty in the PRC. The PRC, which seems to have learned a thing or two about public relations over the years, conveniently timed the announcement to occur after the completion of the recent APEC meetings in Osaka, Japan, and after the announcement of the 1995 Nobel Peace Prize for which Wei had been nominated; both events would have provided an uncomfortable forum for international criticism of the charges. Instead, they have until the next meeting of the U.N. Human Rights Commission in Geneva next March to try and convict Wei and the hope that any international uproar will die down.

A Xinhua report this last Sunday noted that Wei's trial would begin today (late yesterday, Beijing time) in the Beijing Intermediate People's Court. As of 48 hours before the trial was scheduled to begin, Wei's attorney—Zhang Sishi—had still not received written notice of the charges against his client, nor had he been allowed to meet with him. Although it has been announced that the trial will be—somewhat uncharacteristically—"open," that means only that some of Wei's family members may be allowed to attend along with other individuals picked by the government. Late yesterday, after a 6-hour trial, Wei was sentenced to a 14 year term of imprisonment.

I am deeply concerned with the use of the Chinese criminal code to silence those who peacefully advocate democratization and who exercise their rights to free speech. I am equally worried by the response, or should I say lack of response, from the Clinton administration. Candidate Clinton was long on talk about Republicans "coddling dictators," and how he would make human rights the foundation of his foreign policy. But as we have seen with so many other issues, he apparently did not mean what he said; as far as I can tell, that foundation is cracked. The Clinton administration has been slowly ceding ground on this issue with the Chinese since he took office. Instead of high-level reactions to

the Wei arrest and trial, I have seen only low-level, lukewarm, noncommittal expressions of concern from Foggy Bottom.

In 1986, in a speech urging his fellow party leaders to take a hard-line on domestic critics of the government, Deng Xiaoping used Wei as an example:

Didn't we arrest Wei Jingsheng? We arrested him and have not let him go, yet China's image has not suffered.

Whether Wei's predicament is to be a bargaining tool for the March U.N. meeting, or signals a shift towards the conservatives in the party hierarchy, President Clinton's lack of response at this time can only embolden China, and place at risk the freedom of others in the democracy movement such as student leader Wang Dan, activist Li Guotao, trade unionist Liu Nianchun, academician Yuan Hongbing and religious activist Xiao Biguang. All have disappeared in the last 2 years.

Turning to the issue of the Panchen Lama, it is a central belief in Tibetan Buddhism that certain deities take human form in the bodies of important lamas to lead believers toward enlightenment. It is believed that the souls of these lamas are reborn shortly after their deaths into the bodies of newborn infants in order to continue their task on earth. Known generically as tulku, the two most important of these lamas are the Dalai Lama, the temporal and spiritual head of Tibet, and the Panchen Lama. The Panchen Lama is believed to be a reincarnation of the Buddha Amitabha, the Buddha of Infinite Light. Because he wields the highest temporal as well as spiritual authority, the Dalai Lama is considered preeminent to the Panchen in the lamaist hierarchy.

Since the occupation of Tibet beginning in the late 1940's, the Chinese have sought to coopt the Panchen Lama in an attempt to counter the role and authority of the Dalai Lama. When the Chinese invaded Tibet and overthrew the legitimate government, the Dalai Lama fled to northern India where he established a Tibetan government-in-exile. The 10th Panchen Lama remained behind however, effectively becoming over the years the Vidkun Quisling of Tibet, assisting the Chinese in the "peaceful liberation" of Tibet. As reported in the November 11 edition of *Xzang Ribao*:

In March 1959, Tibet's upper-level reactionary clique launched a counter-revolutionary armed revolt in a vain attempt to undermine the motherland's unification. Great Master Panchen [the Panchen Lama] immediately cabled Chairman Mao and Premier Zhou [Enlai] to express his support for the State Council's order to dissolve the Tibetan local government and to quell the rebellion. At a rally held by people of all circles of Xigaze [Shigatse], he urged all monks, ordinary people, and patriotic people of Tibet to clearly distinguish right from wrong and good from evil, to draw a clear line between them and the reactionary clique, and, under the party's leadership, to unite in resolutely assisting the People's Liberation Army to quell the rebellion. Since September 1987, a small number of separatist elements have created

disturbances and made troubles in Lhasa, but the Great Master Panchen always maintained a firm stand, held high the banner of patriotism, and unequivocally and resolutely upheld the motherland's unification and national unity.

He became a member of the Chinese-installed Communist government, and regularly called on Tibetans to submit to the new order. In frequent statements he praised the new Communist government, and over the years gave legitimacy to the Chinese occupation. Although he apparently had a change of heart at the beginning of the Cultural Revolution, for which he was jailed for nearly a decade, after his rehabilitation in 1978 he continued to refuse to back calls for Tibetan independence.

Since the death of the Panchen Lama in January 1989, observers have expected a clash between the Tibetans and the Chinese over the choice of the lama's reincarnation. The reason is simple: this conflict is not simply some arcane religious tussle, but is part of the ongoing collision of interests over who really rules Tibet. For the first time, the Chinese were presented with the opportunity of hand-picking and shaping in their own political image from his youth a traditional leader of the Tibetan people. With the prospect of grooming a credible and more compliant alternative leader for the Tibetan people, few believed that the Chinese would acquiesce to the rightful authority of the Dalai Lama and Tibetan Buddhist hierarchy in the choice.

Soon after the Panchen's death, negotiations took place between the central government and the group charged with searching for his reincarnation, the monks of Tashilhunpo—"Mass of Glory"—Monastery in Shigatse, the traditional seat of the Panchen Lama. The compromise reached provided that the monks would look for the reincarnate lama only in China and Tibet, thus precluding a candidate being found among the Dalai Lama's Tibetan supporters in exile in India. In return, the monks were promised that they could use traditional procedures to select the reborn lama.

A committee of monks from the Tashilhunpo began to search for the reincarnate lama by consulting religious oracles and searching for omens in the reflective waters of a lake high in the Himalayas. The committee then visited children in villages around the country who were reported to have certain physical and mental indications of being reincarnate. The committee spent more than 5 years examining various candidates. As they finalized their choice, to the chagrin of the authorities in Beijing word was leaked from the search committee to the Dalai Lama of the identity of the candidates. This allowed the Dalai Lama, who the Chinese for the first time had excluded from his traditional role in the process, to act preemptively and announce on May 14 that the search committee had found the reincarnation of the Panchen Lama in the person of 6-year-old

Gedhun Chökyi Nyima in the Tibetan village of Nagchu, Lhari District, north of Lhasa.

Their loss of control over the process infuriated the Chinese, who denounced the proclamation in predictably Communist rhetoric. The government press labelled the Dalai Lama's action "splittist" and "illegal and invalid," and condemned him for "his vicious intention of disrupting Tibet's stability and undermining China's national unity through religious means."

Having been beaten to the punch by the Dalai Lama, the Chinese government attempted to regain the initiative. The Dalai Lama's candidate disappeared, and is said by authoritative sources to be held under house arrest in Beijing with his parents. Moreover, the Chinese launched an unprecedented media campaign to discredit the Dalai Lama and his choice, and to justify their brazen interference in the selection process. The complete irony of a secular atheist Communist government completely usurping such a purely religious issue as the choice of a reincarnated soul should be lost on no one. The Chinese have spent years attempting to destroy Tibetan Buddhism as a remnant of the "feudal, oppressive past," and as a competitor to Communism; it is, after all, a central tenant of Marxist-Leninist thought that religion is the opiate of the masses. Thousands of Buddhist monks and nuns have been arrested and imprisoned since the annexation of Tibet; thousands of monasteries and temples have been destroyed, and countless works of religious devotion such as statues have been melted down or shipped out of the country. Yet the government in Beijing has devoted a significant amount of press and other resources to the reincarnation question. The cover and many of the articles in a recent issue of the *Beijing Review* were devoted to it; countless articles have appeared in official party newspapers such as *Rénmin Ribáo*. For example, for over a week the front page of the party daily in Tibet, *Xzang Ribáo*, carried a lengthy and detailed series called "Questions and Answers Regarding the Reincarnated Child of the 10th Panchen."

The attacks have extended to the Dalai Lama himself. For example, a four-part series on Lhasa Tibet People's Radio Network broadcast over a period of 4 days vilified His Holiness and exposed his so-called "crimes." He has suffered similar attacks from Gyatsen Norbu, the Chairman of the Tibet Autonomous Regional People's Government, the Communist-controlled Executive Council of the Buddhist Association of China, and Pagbalha Geleg Namgyai, Chairman of the Tibet Autonomous Region Chinese People's Political Consultative Conference. The official media have also done everything to slander and tarnish the Dalai Lama's choice for Panchen, including accusing the boy's parents of having bad reputations among their

neighbors, and the boy of killing a dog by drowning it—an thoroughly un-Buddhist act.

The amount of coverage the issue has received in the communist media has reached the point of overkill, even for the Chinese press, and has risen to the level that it indicates that the government in Beijing believes that if they repeat something enough it will eventually become the truth. I am reminded of the line from Act III of Shakespeare's "Hamlet", which I paraphrase: "The government doth protest too much, methinks."

Coincident with the increase of official propaganda, the Chinese continued to try to regain control of the process. In September the Chinese ousted Chadrel Rinpoche—the head abbot of the Tashilhunpo Monastery and head of the search committee—and replaced him with their own candidate, Sengchen Lobsang Gyatsen. Chadrel Rinpoche is believed to be in detention with several other noncompliant monks from the monastery. Three new names for finalists—Gyaltzen Norbu of Nagchu, Tsering Wangdu of Nagchu, and Ngawang Namdrol of Lhasa—were then identified by the Chinese government, which announced that the finalist would be chosen by drawing lots from a golden urn, a procedure used once in 1792 by a Qing dynasty emperor. Chinese television showed State President Jiang Zemin meeting with the monks remaining on the committee, urging them to complete their work as soon as possible in order to "ensure stable development in Tibet."

On November 6, the Chinese government convened a meeting of senior lamas at the Jingxi Guest House in Beijing to finalize the selection process. On November 10, Li Ruihuan, a member of the Standing Committee of the Central Political Bureau and Chairman of the National Committee of the Chinese People's Consultative Conference, addressed the meeting and gave it its marching orders. At the end of November, the Chinese chose 6-year-old Gyaltzen Norbu as the 11th Panchen Lama; he was enthroned in Lhasa on December 8. In its haste to put the official imprimatur on the child, the Chinese brushed aside the several years of monastic training usually afforded a candidate before his enthronement. Senior monks were required to attend the ceremony at Lhasa's Jokhang Cathedral, and those supportive of the Dalai Lama and feigning illness in order to avoid attendance were warned on the consequences of such action. State Councilor Li Tieying oversaw the ceremony, delivering a message from Jiang Zemin for the boy to "safeguard the motherland and work in the interests of the people." In reply, the boy reportedly responded by "express[ing] his gratitude to the central government, President Jiang Zemin, Premier Li Peng, and representatives of the State Council * * * and saying that he loves the motherland [China] and the Tibetan religion."

The blatant interference in a purely religious Tibetan affair is of great concern. Without getting bogged down in a detailed and somewhat esoteric discussion of the historical precedents, let me just outline some of the objections to the Chinese position. First, it completely ignores the Dalai Lama's centuries-old right to participate actively in the choice of the Panchen Lama. By eschewing the Dalai Lama's traditional role, the Chinese are completely flouting the historical precedent they claim they are upholding. The confirmation of either the Dalai or Panchen Lama is not complete until mutually recognized by the other. Chinese scholars, whom the government is so fond of quoting, have previously reiterated this requirement. For example, Ya Hanzhang, in his *Biographies of the Tibetan Leaders Panchen Erdeni*, wrote:

By Tibetan tradition a reincarnation of the Panchen could not be religiously legal without the Dalai's recognition, and the same was the case with the Dalai.

Thus, the exclusion of the Dalai Lama renders the validity of Beijing's choice void ab initio.

Second, for the first time in history it puts the Chinese government in the place of the Dalai Lama. In the past, Beijing's role was one limited to nominal approval of the selection already made by the Tibetans. There existed a unique relationship between the high lamas of Tibet and the Chinese imperial court; it was called "priest-patron." The Chinese emperors looked to the lamas as spiritual advisers. In return for that advice, the Chinese offered gifts to the high lamas and military protection to the region. Therefore, any involvement by the Chinese in the choice of a Dalai or Panchen Lama during the Qing dynasty, under Emperors such as Kangxi and Qianlong, stemmed not from a desire to dictate the outcome from Beijing but because those Emperors were fervent followers of Tibetan Buddhism.

Mr. President, I can already predict with certainty the Chinese reaction to this joint resolution. The Foreign Ministry is sure to declare both issues solely within the purview of China's internal affairs which are, ipso facto, none of the rest of the world's business. In fact, in response to world criticism of the Wei arrest Shen Guofang, the Ministry spokesperson, has already stated:

The case of Wei Jingsheng is not a human rights affair. On the contrary, it is those people and organizations who try to interfere in China's judicial procedures that have actually violated international standards by interfering in China's internal affairs.

Rather than rehash this old human rights/internal affairs song and dance, then, let me take a new approach and give the PRC another reason why these issues are important to us and should, consequently, be important to them. The Chinese have made a great deal of noise lately about being allowed to assume their rightful place among important powers on the world stage, and have complained vociferously that the

West is unfairly trying to prevent them from that place.

I and several of my colleagues have tried to make it clear to Beijing that there is not some organized plot attempting to keep them from doing so. Rather, what we have emphasized to them is that a place at that particular table is not a right free for the taking, but a privilege which comes with it a panoply of responsibilities. Foremost among those is to adhere to international norms of conduct and to treaty and similar legal commitments.

If the PRC does not live up to its present commitments, then they can be sure that the rest of the world is going to be hesitant to enter into any others with it; and the problem is, they are not. Beijing says that it is fully living up to all its obligations. However, as the Chinese are fond of saying, words are fine but only if followed up by deeds. An examination of their deeds, unfortunately, shows that these do not match their words. In the case of Wei Jingsheng, the maximum amount of time a criminal suspect can be detained without charge is twelve months; yet he was held for over twenty. China is a signatory to the universal Declaration of Human Rights, yet the handling of Wei's case clearly violates Article III of that document. Finally, the language of the Xinhua announcement of the charges against Wei noted that his actions "were in violation of the criminal law and constituted crimes;" an article in the December 11 Beijing Review notes that his actions leading to this arrest "[were] in violation of the Criminal Law and constitute crimes." This, and the fact that his trial took only 6 hours, seems to me to indicate that his guilt had been determined long before his trial began. This presupposition of guilt also runs counter in international standards of justice.

As for the Panchen issue, the PRC's constitution guarantees freedom of religion and freedom from being discriminated against on the basis of religious belief. Yet thousands of Tibetans have been persecuted for their religious faith over the years. Moreover, Beijing's manipulation of the selection of the Panchen Lama is clear meddling in a purely religious issue for political gain, and violates the religious rights of believing Tibetans. Similarly, as Senator FEINSTEIN mentioned yesterday in a meeting of the full Foreign Relations Committee, she has been repeatedly assured over the years by officials in the highest levels of the Chinese Government that Tibet "is entitled to manage its own cultural and religious affairs." The actions regarding the Panchen Lama would seem to contradict that assertion.

Time and time again China calls into question its commitment to the rule of law and to international norms, whether it be in regards to agreements on intellectual property, the enforcement of international arbitration awards, or the proliferation of nuclear or other

weapons. The cases of Wei Jingsheng and the Panchen Lama are just two more unfortunate examples. If as a result the rest of the world is a bit reticent to enter into other agreements with the PRC—for example, the WTO agreement—for fear that the Chinese will continue to say one thing but do another, then before it points the finger of accusation at us for denying it its “rightful place” in the world, it should realize that it has no one to blame but itself.

I urge my colleagues to support Senate Joint Resolution 43, and thank the distinguished Chairman and ranking member of the Committee for their leadership on these important issues.

Mr. BROWN. I ask unanimous consent the joint resolution be deemed read a third time, passed, the amendment to the preamble be agreed to, the preamble as amended be agreed to, the motion to reconsider be laid upon the table, and that the statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 43) was deemed read the third time and passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, is as follows:

S.J. RES. 43

Whereas on November 21, 1995, the Government of the People's Republic of China formally arrested Wei Jingsheng, who is known internationally as the father of the democracy movement in China;

Whereas the Government of the People's Republic of China has held Wei Jingsheng incommunicado and without charge since April 1994 and has rebuffed international calls to release him;

Whereas Wei Jingsheng has spent all but 6 months of the last 16 years in detention because of this unwavering support for freedom of speech and the development of democracy in China;

Whereas at an October 1995 meeting in New York between President Clinton and President Jiang Zemin of China, the Administration urged the Government of the People's Republic of China to release political prisoners and specifically included Wei Jingsheng and others among such prisoners;

Whereas the treatment of Wei Jingsheng by the Government of the People's Republic of China raises concern over the future of other jailed dissidents in China, including Wang Dan, a student leader in the 1989 pro-democracy movement in China;

Whereas on May 14, 1995, His Holiness the Dalai Lama announced recognition of 6-year-old Gedhun Choekyi Nyima as the next Panchen Lama;

Whereas recognition of the successor to the Panchen Lama in Tibet has always been within the authority of the Dalai Lama;

Whereas for the first time in Tibetan history, the Government of the People's Republic of China has imposed on Tibet its own candidate for a new Panchen Lama and has rejected the new Panchen Lama selected by the Dalai Lama;

Whereas Gedhun Choekyi Nyima and his family have been missing for 6 months and are reported being held by authorities of the Government of the People's Republic of China;

Whereas Chatrel Rinpoche, who is the head of the original search committee for the new Panchen Lama and who refused to denounce the Dalai Lama's selection of the new Panchen Lama, is also missing and believed to be held by authorities of the Government of the People's Republic of China;

Whereas the Panchen Lama is one of the highest-ranking religious official of Tibetan Buddhism;

Whereas the rejection of the Dalai Lama's selection of Panchen Lama by the Government of the People's Republic of China, and the selection of its own candidate for Panchen Lama, is seen by many Tibetans as politicizing a purely religious affair and as a violation of fundamental Tibetan human rights;

Whereas since the invasion of Tibet in 1949, the Government of the People's Republic of China has taken any expression by the Tibetan people of their distinct religious or cultural identity as a direct challenge to that government's political control of Tibet;

Whereas Chinese officials have repeatedly maintained that the Tibet Autonomous Region is entitled to manage its own cultural and religious affairs, and the intervention of Chinese government authorities in the selection of the next Panchen Lama is a clear violation of that principle;

Whereas for 3 consecutive years, the United States has been a primary sponsor of resolutions criticizing the human rights practices of the Government of the People's Republic of China in China and Tibet at the annual meetings of the United Nations Human Rights Commission in Geneva;

Whereas these resolutions call upon the Government of the People's Republic of China to take measures to ensure the observance of all human rights, invite that government to cooperate with all special rapporteurs and working groups, and request the Secretary General of the United Nations to prepare a report for the United Nations Human Rights Commission on the human rights situation in China and Tibet;

Whereas at the March 1995 meeting of the United Nations Human Rights Commission in Geneva, the resolution lost by only 1 vote;

Whereas it is important to maintain international pressure on the Government of the People's Republic of China in order to induce that government to respect internationally-recognized standards of human rights; and

Whereas in May 1994, the President of the United States pledged strong support for efforts at international forums to criticize the human rights practices of the Government of the People's Republic of China: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government should—

(1) press for the immediate and unconditional release of Wei Jingsheng and other political prisoners by the Government of the People's Republic of China;

(2) urge the Government of the People's Republic of China to respect the wishes of the Tibetan people by supporting the selection of the new Panchen Lama by His Holiness the Dalai Lama;

(3) work to ensure the safety of the new Panchen Lama as selected by the Dalai Lama; and

(4) sponsor and aggressively push for the passage of a resolution regarding the human rights situation in China at the annual meeting of the United Nations Human Rights Commission in Geneva scheduled for March 1996.

The PRESIDING OFFICER. The Senator from Kentucky.

MEASURE READ FOR THE FIRST TIME—S. 1472

Mr. FORD. Madam President, I understand that S. 1472, Federal Judges for the Middle and Eastern Districts of Louisiana, introduced earlier today by Senator BREAU, is at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. FORD. Madam President, I ask for the first reading.

The PRESIDING OFFICER. The clerk will read the bill.

The assistant legislative clerk read as follows:

A bill (S. 1472) to provide for one additional Federal judge for the Middle and Eastern Districts of Louisiana and one less Federal Judge for the Eastern District of Louisiana.

Mr. FORD. Madam President, I ask for the second reading.

Mr. BROWN. I object.

The PRESIDING OFFICER. Objection is heard. The bill will lay over and will receive its second reading on the next legislative day.

AU PAIR PROGRAMS EXTENSION

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 267, S. 1465.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1465) to extend au pair programs.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3099

(Purpose: To extend au pair programs through fiscal year 1997)

Mr. BROWN. Madam President, I send an amendment to the desk for Senator HELMS and Senator DODD, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado (Mr. BROWN), for Mr. HELMS, for himself and Mr. DODD, proposes an amendment numbered 3099.

Mr. BROWN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On line 9, strike “1999” and replace with “1997.”

On page 2, line 1, strike “1998” and replace with “1996.”

Mr. BROWN. Madam President, I ask unanimous consent that the amendment be agreed to, that the bill be deemed read a third time, passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.